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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,425	07/28/2001	Michael S. Allison	10018218-1	4633

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EXAMINER

RIES, LAURIE ANNE

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,425

Applicant(s)

ALLISON ET AL.

Examiner

Laurie Ries

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 1, the phrase "of the type" in line 2 does not clearly define the architecture which the applicant regards as the invention.

Claim 11 recites the limitation "extraction tool" in line 1. There is insufficient antecedent basis for this limitation in the claim. It is assumed that claim 11 is intended to be dependent on claim 10 rather than claim 1.

The remaining dependent claims are rejected for fully incorporating the deficiencies of the base claim(s) from which they depend.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim is broad

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enough so as to raise a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Klienman (U.S. Patent 5,724,503).

As per claim 1, Kleinman discloses a method for analyzing text strings which are associated with events from electronic architecture having one or more entities generating the events, including processing the text strings (See Kleinman, Column 6, lines 45-52) and transforming the text strings to human interpretable statements summarizing at least one of the events associated with the text strings (See Kleinman, Column 6, lines 52-67).

As per claim 2, Kleinman discloses transforming the text strings to an English statement setting forth one or more of problems and system health of the architecture. (See Kleinman, Column 6, lines 63-65).

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As per claim 3, Kleinman discloses processing the text strings according to one of the entities associated with the text string. (See Kleinman, Column 6, lines 52-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) as applied to claim 2 above, and further in view of Bouchier (U.S. Patent 6,684,343 B1).

As per claim 4, Kleinman discloses the limitations of claim 2 as described above. Kleinman does not disclose expressly processing text strings representative of one or more chassis code of the one entity. Bouchier discloses displaying chassis codes related to a number of partitions of a computer system. Kleinman and Bouchier are analogous art because they are from the same field of endeavor of managing operations of electronic system architecture. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the chassis codes of Bouchier with the step of processing text strings of Kleinman. The motivation for doing so would have been to collect and process the data which would alert the user to problems within the system. (See

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Bouchier, Column 11, lines 46-50). Therefore, it would have been obvious to combine Bouchier with Kleinman for the benefit of identifying system errors to obtain the invention as specified in claim 4.

As per claim 6, Kleinman and Bouchier disclose the limitations of claim 4 as described above. Bouchier also discloses processing problem detail of the chassis codes. (See Bouchier, Column 11, lines 46-50). Kleinman and Bouchier are analogous art because they are from the same field of endeavor of managing operations of electronic system architecture. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the problem detail of Bouchier with the processing of chassis codes of Kleinman and Bouchier. The motivation for doing so would have been to collect and process the data specific to problems within the system. (See Bouchier, Column 11, lines 46-50). Therefore, it would have been obvious to combine Bouchier with Kleinman for the benefit of further identifying system errors to obtain the invention as specified in claim 6.

As per claim 7, Kleinman and Bouchier disclose the limitations of claim 6 as described above. Kleinman also discloses executing an embedded program with an the text string, which is the chassis code as described above, included as an argument to further analyze problems associated with the one entity. (See Kleinman, Column 13, lines 53-67, and Column 14, lines 1-15).

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Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) and Bouchier (U.S. Patent 6,684,343 B1) as applied to claim 4 above, and further in view of Marso (U.S. Publication 2002/0078349 A1).

As per claim 5, Kleinman and Bouchier disclose the limitations of claim 4 as described above. Kleinman and Bouchier do not disclose expressly the steps of parsing the chassis codes and sequentially processing each of the chassis codes. Marso discloses that text messages may be parsed sequentially. (See Marso, Page 5, paragraph 0052). Kleinman, Bouchier and Marso are analogous art because they are from the same field of endeavor of processing text messages and statements. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the processing of chassis codes of Kleinman and Bouchier with the sequential parsing of Marso. The motivation for doing so would have been to allow full understanding of the message content by processing the message in a sequential order. (See Marso, Page 5, paragraph 0052). Therefore, it would have been obvious to combine Marso with Kleinman and Bouchier for the benefit of improved understanding of the text message content to obtain the invention as specified in claim 5.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) as applied to claim 1 above, and further in view of Bice (U.S. Publication 2002/0188688 A1).

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As per claim 8, Kleinman discloses the limitations of claim 1 as described above. Kleinman does not disclose expressly printing the statement. Bice discloses that notification messages can be sent via page or facsimile, both of which would be printed material. (See Bice, Page 5, paragraph 0048). Kleinman and Bice are analogous art because they are from the same field of endeavor of processing text messages and statements. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the transforming of text strings into a human interpretable statement of Kleinman with the printing of the statement of Bice. The motivation for doing so would have been to notify the customer of the occurrence of an event. (See Bice, Page 5, paragraph 0048). Therefore, it would have been obvious to combine Bice with Kleinman for the benefit of alerting a user to the contents of the statement to obtain the invention as specified in claim 8.

As per claim 9, Kleinman discloses the limitations of claim 1 as described above. Kleinman does not disclose expressly emailing at least part of the statement to an email destination. Bice discloses that notification messages can be sent via email automatically. (See Bice, Page 5, paragraph 0048). Kleinman and Bice are analogous art because they are from the same field of endeavor of processing text messages and statements. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the transforming of text strings into a human interpretable statement of Kleinman with the emailing of the statement of Bice. The motivation for doing so would have been to notify the customer of the occurrence of an event. (See Bice, Page 5,

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paragraph 0048). Therefore, it would have been obvious to combine Bice with Kleinman for the benefit of alerting a user to the contents of the statement to obtain the invention as specified in claim 9.

Claims 10-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) as applied to claim 1 above, and further in view of Hansen (U.S. Publication 2002/0143575 A1).

As per claim 10, Kleinman discloses the limitations of claim 1 as described above. Kleinman does not disclose expressly the step of acquiring the text strings from an extraction tool coupled to the architecture. Hansen discloses extracting the event log using a feature extractor module that is coupled to the architecture. (See Hansen, Page 6, paragraph 0057). Kleinman and Hansen are analogous art because they are from the same field of endeavor of interpreting and processing system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the extraction tool of Hansen with the text string processing method of Kleinman. The motivation for doing so would have been to produce a reduced data set event log and thereby streamline the process of interpreting the events. (See Hansen, Page 1, paragraphs 0009 and 0012). Therefore, it would have been obvious to combine Hansen with Kleinman for the benefit of improved reading and understanding of events contained in the text string statement to obtain the invention as specified in claim 10.

As per claims 11 and 17, Kleinman discloses the limitations of claim 1 as described above. Kleinman does not disclose expressly extracting the events from the architecture, separating the events according to the entities, and transforming the events to one or more text strings. Hansen discloses extracting the events from the system, separating the events according to the proper examination record, and transforming the events into text strings called EXAMs. (See Hansen, Page 6, paragraph 0057). Kleinman and Hansen are analogous art because they are from the same field of endeavor of interpreting and processing system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the extraction process of Hansen with the text string processing method of Kleinman. The motivation for doing so would have been to produce a reduced data set event log and thereby streamline the process of interpreting the events. (See Hansen, Page 1, paragraphs 0009 and 0012). Therefore, it would have been obvious to combine Hansen with Kleinman for the benefit of improved reading and understanding of events contained in the text string statement to obtain the invention as specified in claims 11 and 17.

As per claim 12, Kleinman and Hansen disclose the limitations of claim 11 as described above. Hansen also discloses accessing one or more analyzers that are part of the feature extractor module. (See Hansen, page 7, claim 4). Kleinman and Hansen are analogous art because they are from the same field of endeavor of interpreting and processing system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to

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combine the analyzers of Hansen with the extraction process of Kleinman and Hansen. The motivation for doing so would have been to interpret the events extracted by the feature extractor module. (See Hansen, Page 2, paragraph 0016). Therefore, it would have been obvious to combine Hansen with Kleinman for the benefit of interpreting and analyzing the events to obtain the invention as specified in claim 12.

As per claim 14, Kleinman and Hansen disclose the limitations of claim 12 as described above. Hansen also discloses that the analyzers process text strings associated with one of the entities. (See Hansen, Page 7, claim 10). Kleinman and Hansen are analogous art because they are from the same field of endeavor of interpreting and processing system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the analyzing of text strings associated with events of Hansen with the extraction process of Kleinman and Hansen. The motivation for doing so would have been to interpret the events extracted by the feature extractor module. (See Hansen, Page 2, paragraph 0016). Therefore, it would have been obvious to combine Hansen with Kleinman for the benefit of interpreting and analyzing the events to obtain the invention as specified in claim 14.

Claim 15 is rejected on the same basis as claims 11,12, and 14.

As per claim 16, Kleinman and Hansen disclose the limitations of claim 15 as described above. Hansen also discloses that the system includes a software routine, which is included in the list of possible entities set forth in claim 16. (See Hansen, Page 2, paragraph 0028). Kleinman and Hansen are analogous art

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because they are from the same field of endeavor of interpreting and processing system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the software routine of Hansen with the system entities of Kleinman and Hansen. The motivation for doing so would have been to implement the disclosed technique of analyzing system events. (See Hansen, Page 2, paragraph 0028). Therefore, it would have been obvious to combine Hansen with Kleinman for the benefit of implementing the methods as disclosed in claim 15 to obtain the invention specified in claim 16.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) and Hansen (U.S. Publication 2002/0143575 A1) as applied to claim 12 above, and further in view of Ciccone (U.S. Patent 6,338,149 B1).

As per claim 13, Kleinman and Hansen disclose the limitations of claim 12 as described above. Kleinman and Hansen do not disclose expressly utilizing a graphical user interface coupled to one or more of the analyzers. Ciccone discloses the use of a graphical user interface coupled to a system that is used to display information. (See Ciccone, Column 14, lines 53-67, and Column 15, lines 1-15). Kleinman, Hansen, and Ciccone are analogous art because they are from the same field of endeavor of interpreting and monitoring system events. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the graphical user interface of Ciccone with the system

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analyzers of Kleinman and Hansen. The motivation for doing so would have been to allow a user or system administrator to specify various options via a menu on the graphical user interface to change or limit the data displayed. (See Ciccone, Column 10, lines 29-43). Therefore, it would have been obvious to combine Ciccone with Kleinman and Hansen for the benefit of improving the display options of the system data available to the user to obtain the invention as specified in claim 13.

Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) and Hansen (U.S. Publication 2002/0143575 A1) as applied to claim 15 above, and further in view of Bouchier (U.S. Patent 6,684,343 B1).

As per claim 18, Kleinman and Hansen disclose the limitations of claim 15 as described above. Kleinman and Hansen do not disclose expressly that the text strings include problem detail and chassis code. Bouchier also discloses processing problem detail of chassis codes. (See Bouchier, Column 11, lines 46-50). Kleinman, Hansen, and Bouchier are analogous art because they are from the same field of endeavor of managing operations of electronic system architecture. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the problem detail and chassis codes of Bouchier with the text strings of Kleinman and Hansen. The motivation for doing so would have been to collect and process the data specific to problems within the system. (See Bouchier, Column 11, lines 46-50). Therefore, it would have

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been obvious to combine Bouchier with Kleinman and Hansen for the benefit of further identifying system errors to obtain the invention as specified in claim 18.

As per claim 19, Kleinman, Hansen and Bouchier disclose the limitations of claim 18 as described above. Kleinman also discloses that the problem detail includes an embedded program executable to perform further analysis of the text strings. (See Kleinman, Column 13, lines 53-67, and Column 14, lines 1-15).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kleinman (U.S. Patent 5,724,503) and Hansen (U.S. Publication 2002/0143575 A1) as applied to claim 15 above, and further in view of Bice (U.S. Publication 2002/0188688 A1).

As per claim 20, Kleinman and Hansen disclose the limitations of claim 15 as described above. Kleinman and Hansen do not disclose expressly publishing the statement in one or more of computer memory, paper form, and email. Bice discloses that notification messages can be published via email, which is included in the list of possible publishing methods set forth in claim 20. (See Bice, Page 5, paragraph 0048). Kleinman, Hansen, and Bice are analogous art because they are from the same field of endeavor of processing text messages and statements. At the time of the invention it would have been obvious to a person of ordinary skill in the art to combine the system of Kleinman and Hansen with the emailing of the statement of Bice. The motivation for doing so would have been to notify the customer of the occurrence of an event. (See Bice, Page 5, paragraph 0048). Therefore, it would have been obvious to combine Bice with

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Kleinman and Hansen for the benefit of alerting a user to the contents of the statement to obtain the invention as specified in claim 20.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Opoczynski (U.S. Patent 5,519,830) discloses a point-to-multipoint performance monitoring and failure isolation system
- Eick (U.S. Patent 5,644,692) discloses a method and apparatus for displaying information about a large number of entities.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is currently (703) 605-1238. After mid-October, 2004, the examiner can be reached at (571) 272-4095. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm.

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LAR



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER